IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE SEVENTEENTH DAY OF DECEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE SRI JUSTICE N.V. RAMANA

WRIT PETITION NO.23488 of 2004

Between:

Sri Lalitha Hari Haran Trade Fair/Exhibition rep by its Organizer Smt.C.Samatha
Lotus Towers,Flat No.207, Mogal Raj Puram,
Vijayawada, Krishna Dist.

..... PETITIONER

AND

1 The Chairman, Kakinada Municipality
Kakinada, East Godavari Dist.
2 The Commissioner, Kakinada Municipality
Kakinada, East Godavari Dist.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court may be pleased to issue a writ, or direction more particularly one in the nature of Writ of Mandamus declaring the action of the 2nd Respondent in not exceeding the permission to run Sri Lalitha Hari Haran Trade Fair/Exhibition at Ananda Bharati Grounds at Kakinada though police permission was obtained and also and the attempt to evict us with out notice is illegal arbitrary and unconstitutional and consequently direct the Respondents to extend the permission to run petitioner Trade Fair/Exhibition at Ananda Bharati Grounds from 18/11/2004 to 17-01-2005 for a period of 62 days.

Counsel for the Petitioner: MR.N.RAVI PRASAD

Counsel for the Respondents: MR.DANTU.SRINIVAS and S. Nageswara Reddy

The Court, at the stage of admission, made the following:

ORDER:

This writ petition is filed seeking to direct the respondents to extend the permission to run Petitioner Trade Fair/Exhibition at Ananda Bharati Grounds from 18.11.2004 to 17.01.2005 for a period of 62 days.

The petitioner is stated to be running a Trade Fair/Exhibition at Anand Bharati Grounds at Kakinada after obtaining necessary permission from the respondents with effect from 17.09.2004 to 17.11.2004. According to the petitioner, orally one more extension was granted to her by the respondents to run the exhibition. Thereafter, the petitioner has made a representation to the authorities for extending the time from 18.11.2004 to 17.1.2005. According to the petitioner, she has also submitted the required demand draft. The grievance of the petitioner is that though the authorities have accepted her demand draft have not passed any orders on her representation and on the other hand have sent their personnel to evict her. Hence this writ petition.

Heard the learned counsel for petitioner and the learned counsel for respondents.

Admittedly, the permission granted to the petitioner expired on 17.11.2004. Now the petitioner seeks a direction from this Court for extension of permission from 18.11.2004 to 17.01.2005 stating that though the authorities have accepted her demand draft, they have not passed any orders on her representation for extension of permission. Granting or extending the permission depends upon the availability of the ground and other things and it is for the respondent Municipality to take a

decision in the matter. This Court exercising jurisdiction under Article 226 of the Constitution of India cannot interfere in the matter and take a decision to extend the time. In the circumstances, there are no merits in the writ petition and the same is liable to be dismissed.

Accordingly, the writ petition is dismissed at the stage of admission. No costs.

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(N.V. RAMANA, J)

Date: 17.12.2004

Nsr/Msv

..... REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1 The Chairman, Kakinada Municipality
Kakinada, East Godavari Dist.
2 The Commissioner, Kakinada Municipality
Kakinada, East Godavari Dist.

3 Two CD copies.